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**Re:** Power of Attorney By Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 with Revocation of Prior Powers  
U.S. Patent Application No.: 10/658,609, Filed: September 8, 2003.

**Ref:** 6270-705.501

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PTO/SB/21 (02-04)

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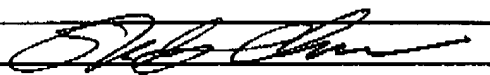
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/658,609
		Filing Date	September 8, 2003
		First Named Inventor	James F. Hainfeld
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	4	Attorney Docket Number	6270-705.501


## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Petition For Extension of Time <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Assignment & Recordation Cover Sheet (Copy) <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney by Assignee <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appel Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Shirley Chen, Ph.D., Reg. No. 44,608 WILSON SONSINI GOODRICH & ROSATI
Signature	
Date	February 10, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 10 2005

Practitioner's Docket No.: 6270-705.501

PATENT

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR  
UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

- ☐ U.S. Patent No.  
☒ U.S. application no. 10/658,609, filed on September 8, 2003

hereby appoints all Wilson Sonsoni Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, as associated with Customer No. 021971, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

(complete one of the following)

- ☒ a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or  
☐ the Assignment recorded on \_\_\_ at reel \_\_\_, frames \_\_\_.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

**CHANGE OF CORRESPONDENCE ADDRESS**

Direct all correspondence and telephone calls to:

Name	Shirley Chen, Ph.D.					
Address	Wilson Sonsoni Goodrich and Rosati					
Address	650 Page Mill Road					
City	Palo Alto	State	CA	Zip	94304	Customer No.: 021971
Country	USA	Telephone	(650) 493-9300	Fax	(650) 493-6811	

ASSIGNEE: Nanoprobea, Inc.


Name: James F. Hainfeld  
PrintJames F. Hainfeld  
SignatureTitle: inventor, CEO & PresidentDate: 2/10/05

02/03/2005  
700151201FORM PTO-1595 (Rev. 06/04)  
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<b>1. Name of conveying party(ies)/Execution Date(s):</b> James F. Heinfeld Execution Date(s) <u>January 31, 2005</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>2. Name and address of receiving party(ies):</b> Name: <u>Nanoprobes, Inc.</u> Internal Address: _____ Street Address: <u>95 Horse Block Road</u> City: <u>Yaphank</u> State: <u>NY</u> Country: <u>USA</u> Zip: <u>11980-9710</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>3. Nature of conveyance:</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License Other _____		<b>4. Application number(s) or patent number(s):</b> <input type="checkbox"/> This document is being filed together with a new application. A. Patent Application No.(s) <u>10/658,609</u> B. Patent No.(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>5. Name and address to whom correspondence concerning document should be mailed:</b> Name: <u>Shirley Chen</u> Internal Address: <u>Wilson Sonshini Goodrich &amp; Rosati</u> Street Address: <u>850 Page Mill Road</u> City: <u>Palo Alto</u> State: <u>CA</u> Zip: <u>94304-1050</u> Phone Number: <u>(650) 493-9300</u> Fax Number: <u>(650) 493-8811</u> Email Address: <u>xchen@wagr.com</u> Atty Docket No.: <u>6270-705.501</u>		<b>6. Total number of applications and patents involved:</b> <u>1</u> <b>7. Total fee (37 CFR 1.21(h) &amp; 3.41)</b> <u>\$40.00</u> <input type="checkbox"/> Authorized to be charged by credit card <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Enclosed <input type="checkbox"/> None required (government interest not affecting title)	
<b>8. Signature.</b>  Signature Shirley Chen, Reg. No. 44,608 Name of Person Signing		<b>8. Payment Information</b> a. Credit Card Last 4 Numbers _____ Expiration Date _____ B. Deposit account number: <u>23-2415</u> Authorized User Name: <u>Wilson Sonshini Goodrich &amp; Rosati</u> February 3, 2005 Date	
Total number of pages including cover sheet, attachments, and documents: <u>2</u>			

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FORM 1595-000 03/2005 1050-0005

## ASSIGNMENT OF APPLICATION

Docket Number 6270-705.501

Whereas, the undersigned:

1. HAINFELD, James F.  
Shoreham, NY 11786

hereinafter termed "Inventors", have invented certain new and useful improvements in

## ENZYMATIC DEPOSITION AND ALTERATION OF METALS

- ☒ for which an application for United States Patent was filed on September 8, 2003, Application No. 10/658,609.  
☐ for which a United States Patent issued on \_\_, U.S. Patent No. \_\_.

WHEREAS, Nanoprobe, Inc., having a place of business at 95 Horse Block Road, Yaphank, NY 11980-9710, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, said Inventors have executed and delivered this instrument to said Assignee as of the dates written below:

Date:

January 31, 2005James F. Hainfeld  
James F. Hainfeld